

REMARKS

Claims 1-11 were examined and reported in the Office Action. Claims 1-8, 10 and 11 are rejected. Claim 9 is canceled. Claim 1 is amended. Claims 1-8 and 10-11 remain.

Applicant requests reconsideration of the application in view of the following remarks.

I. 35 U.S.C. § 102(a)

It is asserted in the Office Action that claims 1-5 and 11 are rejected under 35 U.S.C. §102(a) as being anticipated by U. S. Patent No. 6,576,527 issued to Nakamura et al. ("Nakamura").

It is asserted in the Office Action that claim 9 would be allowable if rewritten in independent form. Applicant has added the claim limitations of claim 9 to claim 1. Therefore, Applicant respectfully submits that amended claim 1 is allowable. Additionally, claims 2-5 and 11 directly or indirectly depend from amended claim 1 and are allowable for the same reason.

Accordingly, withdrawal of the 35 U.S.C. §102(a) rejection for claims 1-5 and 11 is respectfully requested.

II. 35 U.S.C. § 103(a)

It is asserted in the Office Action that claims 6-8 are rejected under 35 U.S.C. §103(a) as being unpatentable over U. S. Patent No. 5,337,207 issued to Jones ("Jones"). It is also asserted in the Office Action that claim 10 is rejected under 35 U.S.C. §103(a) as being unpatentable over Nakamura in view of U. S. patent No. 5,566,045 issued to Summerfelt ("Summerfelt") and U. S. 2002/0109168 (Kim).

It is asserted in the Office Action that claim 9 would be allowable if rewritten in

independent form. Applicant has added the claim limitations of claim 9 to claim 1. Therefore, Applicant respectfully submits that amended claim 1 is allowable. Additionally, claims 6-8 and 10 directly or indirectly depend from amended claim 1 and are allowable for the same reason.

Accordingly, withdrawal of the 35 U.S.C. §103(a) rejections for claims 1-5 and 10-11 are respectfully requested.

CONCLUSION

In view of the foregoing, it is believed that all claims now pending, namely 1-8 and 10-11, patentably define the subject invention over the prior art of record and are in condition for allowance and such action is earnestly solicited at the earliest possible date.

If necessary, the Commissioner is hereby authorized in this, concurrent and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2666 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17, particularly extension of time fees. If a telephone interview would expedite the prosecution of this Application, the Examiner is invited to contact the undersigned at (310) 207-3800.

Respectfully submitted,

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By: 
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CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail with sufficient postage in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P. O. Box 1450, Alexandria, Virginia 22313-1450 on June 29, 2004.


Jean Svoboda